(V) Cf 1004 Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.) (3)

WRIT PETITION NO. 124/2005

PETITIONER

R.S. Porte,
S/o.Shri Bhagat Ram Porte,
Aged about 48 years,
Occupation - service,
Presently working as
Incharge Principal,
Govt. High School,
Chapora,
District Bilaspur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through Secretary,
School Education
Department, Mantralaya,
D.K.S. Bhawan,
Raipur (C.G)

2. Director,
Public Instructions,
Raipur (C.G.)

3. Collector,
District Bilaspur (C.G.)

4. District Education
Officer,
Bilaspur (C.G.)

5. Rajendra Prasad Sai,
Principal,
Govt. Higher Secondary
School, Kalyanpur,
Surajpur (C.G.)

6. Smt. Devanti Arya,
Principal,
Govt. Higher Secondary
School, Chhuriya,
Dist. Rajnandgaon (C.G.)

7. Smt. Divya Rani Minj,
Principal,
Govt. Girls Higher
Secondary School,
Vaishali Nagar, Durg(C.G.)

8. Tejram Komiya,
Principal,
Govt. Higher Secondary
School, Badgaon,
District Durg (C.G.)

R.R. No. 125/05
Presented by Sri Prafeek Saxena
dated 1/7/05

Filed on 11.1.05

(2)

(4)

9. Devdhar Prd. Netam,
Principal,
Govt. Higher Secondary
School, Gundardihi,
District Durg (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND FOR OTHER SUITABLE WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS ETC.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP.NO.1824/05 **सन् 200**

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

29-6-2006:-

Smt. Fouzia Mirza, counsel for the petitioner.

Shri G.K. Beriwal, Deputy Advocate General for respondents No.1 to 4.

Shri Rakesh Anthony, counsel for respondent No.7.

Heard.

Return has already been filed on behalf of respondents No.1 to 4 and 7.

The main grievance raised by the petitioner by way of this writ petition is that while passing the promotion order Annexure-P/3 dated 19-9-2003 the petitioner's case was not considered for promotion from the post of Lecturer to the post of Principal and the persons juniors to the petitioners i.e. respondents No.5 to 9 have been promoted.

The case of the petitioner is that he was appointed as Lecturer (Physics) in the School Education Department on 13.10.83 and he joined his duties on 7-11-1983 and since then, the petitioner is discharging his duties up to the utmost satisfaction of the higher authorities. Career of the petitioner is excellent and unblemished. Copy of appointment order is Annexure-P/1. The petitioner is presently working as In-Charge Principal since 2001 in the Govt. High School, Chapora, District Bilaspur. The petitioner was shocked to come across the impugned promotion order dated 19.9.2003 published in the local newspaper whereby his colleagues working as Lecturers (ST) appointed in the years1983, 1984, 1985 and 1986 have been promoted to the post of Principal and have been given seniority. Even though the petitioner also belongs to ST category, but his claim has not been considered.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	The State Government in its reply submitted that vide order dated 19.9.2003 25 lecturers were promoted to the post of Principal in the pay scale of Rs.8,000-275-13,500/-. When the petitioner's name was left out, he made a representation to the competent authority and the District Education Officer, Bilaspur vide letter dated 13.4.2006 has recommended the name of the petitioner for promotion to the post of Principal and same has been sent to the Director, Public Educational Directorate, Chhattisgarh, Raipur. Annexure-R/1 shows that the District Education Officer has already recommended the name of the petitioner for promotion. In the circumstances, considering the representation and seniority of the petitioner, respondent No.2 is directed to pass order regarding promotion of the petitioner after considering his case, in accordance with law. The writ petition is disposed of accordingly. Consequently, M.(W.)P. No.110/2005 and I.A.No.1654/2006 stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C.Bhadoo** **Judge**	